IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

OHIO VALLEY ENVIRONMENTAL COALITION, WEST VIRGINIA HIGHLANDS CONSERVANCY, and SIERRA CLUB,

Plaintiffs,

v. **CIVIL ACTION NO. 2:15-cv-15515**

POCAHONTAS LAND CORPORATION,

Defendant.

Defendant.

NOTICE OF LODGING OF CONSENT DECREEE

Plaintiffs hereby give notice of lodging of a Proposed Consent Decree in the above-styled case. The attached Consent Decree has been signed by all parties and will resolve all claims alleged by Plaintiffs against Defendant in this civil action.

Plaintiffs lodge this Proposed Consent Decree with the Court pursuant to Section 505(c)(3) of the Clean Water Act, 33 U.S.C. § 1365(c)(3). That section provides in relevant part: "No consent judgment shall be entered in any action in which the United States is not a party prior to 45 days following the receipt of a copy of the proposed consent judgment by the Attorney General and the Administrator." *Id.* Plaintiffs will promptly serve the signed agreement upon the United States and pursuant to 40 C.F.R. § 135.5 will notify the Court of the date upon which the United States receives such service.

During the comment period by the United States, no action is required by the Court. If, after review and evaluation of the proposed Consent Decree and any comments received from the United States, the Court finds the Consent Decree to be fair, reasonable, and in the public interest, the Parties respectfully request that the Court enter the decree.

Respectfully submitted,

/s/_J. Michael Becher__________

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, J. Michael Becher, counsel for Plaintiffs hereby certify that on December 2, 2016, I served a copy of the **NOTICE OF LODGING OF CONSENT DECREE** through CM/ECF which will provide notification and service to all parties.

/s/ J. Michael Becher
J. Michael Becher